

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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DAVID TERRELL II,

Plaintiff,

v.

KILOLO KIJAKAZI,  
COMMISSIONER  
OF SOCIAL SECURITY,

Defendant.

\*\*\*\*\*

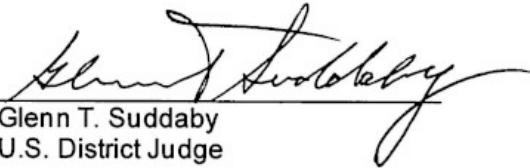
Civil Action No. 23-0618

**CONSENT ORDER TO  
REMAND PURSUANT TO  
SENTENCE 4 OF  
42 U.S.C. § 405(g)**

This matter having been opened to the Court by CARLA B. FREEDMAN, United States Attorney for the Northern District of New York, and Kristina Cohn, Special Assistant United States Attorney, attorneys for Defendant, for an Order remanding the within cause of action to the Defendant pursuant to sentence 4 of 42 U.S.C. § 405(g) so that further administrative action may be taken, so that if the ALJ orders additional evidence from a consultative examiner, medical expert and/or vocational expert, the claimant will be provided an opportunity for a hearing, and a new decision will be issued; and Plaintiff, through the undersigned attorney, having consented to the within order and the requested remand, and the Court having considered the matter,

IT IS on this 11th day of December, 2023 ;

ORDERED that the final decision of the Commissioner be and hereby is REVERSED, and the matter is REMANDED to the Defendant for this further administrative action, and it is further ORDERED that the within matter, be and hereby is, DISMISSED in accord with the decision in Melkonyan v. Sullivan, 501 U.S. 89 (1991).

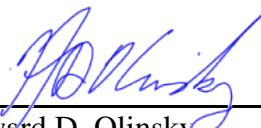
  
Glenn T. Suddaby  
U.S. District Judge

The undersigned hereby consent to the form and entry of the within order.

CARLA B. FREEDMAN  
United States Attorney

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